

alleged in substance for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On April 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled as cottonseed oil and sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

6961. Adulteration of Seawright Water. U. S. * * * v. 9 Cases of Seawright Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9466. I. S. No. 15257-r. S. No. E-1167.)

On November 23, 1918, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 cases, each containing twelve $\frac{1}{2}$ -gallon bottles of Seawright Water, consigned on or about September 26, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Seawright Magnesians Lithia Spring Co., Staunton, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On January 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

6962. Misbranding of Texas Wonder. U. S. * * * v. 121 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9468. I. S. No. 6282-r. S. No. C-1012.)

On December 3, 1918, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 121 bottles of Texas Wonder at Waco, Texas, alleging that the article had been shipped on or about November 8, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On carton) "The Texas Wonder. Hall's Great Discovery for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel, Regulates Bladder Trouble in Children." (In circular) "Louis A. Portner * * * testified he began using the Texas Wonder for stone in the kidneys * * * and tuberculosis of the kidneys * * * He was still using the medicine with wonderful results and his weight had increased."

Examination of a previous sample of the article by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements borne on the carton and included in the circular accompanying the article falsely and fraudulently represented that the article contained ingredients or medicinal agents, effective, among other things, for the cure of kidney and bladder troubles, diabetés, weak and lame backs,

rheumatism, gravel, and bladder trouble, stone in the kidneys and tuberculosis of the kidneys, when, in truth and in fact, the article was not in whole [or in part] composed of, and did not contain, ingredients or medicinal agents which would have the therapeutic effects claimed for it.

On February 27, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

6963. Misbranding of American Hog Remedy. U. S. * * * v. 9 Packages of American Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9469. I. S. No. 10833-r. S. No. C-1011.)

On November 27, 1918, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages of American Hog Remedy, remaining unsold in the original unbroken packages at Lawrence, Kans., alleging that the article had been shipped on or about December 24, 1917, by the American Remedy Co., Tiffin, O., and transported from the State of Ohio into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "American Hog Remedy, a Concentrated Remedy for Swine, Fully Guaranteed by the American Remedy Company, Tiffin, Ohio, Recommended for Hog Cholera and Swine Plagues, Inflammatory and all Contagious Diseases peculiar to Swine. Cures and Prevents Cholera. Give from two to three tablespoonsful of American Hog Remedy three times a day for each hog."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist essentially of charcoal, salt, ferrous sulphate, magnesium sulphate, and finely ground organic material.

Misbranding of the article was alleged in substance in the libel for the reason that the label, hereinbefore set forth, regarding the therapeutic or curative effects of the article, was false and fraudulent in that said label was applied to the article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchaser thereof, and create in the minds of the purchasers the impression and belief that said article, compound, or mixture was in whole or in part composed of or contained ingredients or medicinal agents effective, among other things, to produce the therapeutic effect claimed for it on the label on said packages, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects so claimed for it.

On January 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

6964. Misbranding of A Texas Wonder Hall's Great Discovery. U. S. * * * v. 140 Bottles of A Texas Wonder Hall's Great Discovery. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9470. I. S. No. 5991-r. S. No. C-1015.)

On or about November 27, 1918, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 bottles of A Texas Wonder Hall's Great Discovery, remaining unsold in the original unbroken packages at Montgomery,